

In the Matter of:

B.P.

vs.

City of Johnson City, Tennessee, et al,

STEVEN FINNEY

July 17, 2024



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Case 2:23-cv-00071-TRM-JEM Document 426 Filed 11/06/24 Page 1 of 30

PageID #: 10212

15 Q. So your testimony is that you have
16 no awareness that the DOJ stopped working with your
17 office following our July phone call?

18 A. No. No.

19 July 23rd. July 23rd, correct?

20 Q. Correct.

21 A. No.

22 Q. Okay. I want to show you an email
23 and ask if you've ever seen this email.

24 MS. BAEHR-JONES: And this is going
25 to be marked as Exhibit -- can you give me

1 the next?

2 COURT REPORTER: 132.

3 MS. BAEHR-JONES: 132.

4 (Exhibit 132 marked).

5 MR. RADER: Can you tell us the
6 Bates stamp numbers, please, counsel?

7 MS. BAEHR-JONES: This is not Bate
8 stamped.

9 MR. RADER: Do you have enough
10 copies for all counsel of documents that are
11 not Bate stamped?

12 I'll take that as a no.

13 MS. BAEHR-JONES: I have five
14 copies of this.

15 MS. TAYLOR: Has this been
16 produced?

17 MS. BAEHR-JONES: No.

18 MR. RADER: What -- why was it not
19 produced in response to the request for this
20 information?

21 MS. BAEHR-JONES: Because I
22 probably messed up, and this is probably
23 investigatory privilege, and I should
24 probably not have produced this right now.
25 That is probably the answer. But here we

1 are.

2 I think this witness has made this
3 relevant, and our conversations have made it
4 relevant. So that would probably be my
5 error.

6 MR. RADER: Well, I'd like just a
7 moment to read it, please.

8 MS. BAEHR-JONES: Okay.

9 MS. KRAMER: I'll see if I can send
10 an email to everybody right now.

11 MR. HERRIN: Is there anything else
12 that is not being produced today that you --

13 MS. BAEHR-JONES: No.

14 Q. (BY MS. BAEHR-JONES) Okay. I want to
15 just ask you, have you seen this email before today?

16 A. I have not.

17 Q. Did Abby talk about this email with
18 you?

19 A. Not that I know, because I thought
20 Mike is the one who discovered who your clients
21 were. You all talked about it. And I know -- I can
22 say this, your client list is not -- has not been
23 mentioned outside of my office as far as -- as far
24 as I know. And I have every faith in the world that
25 this has been kept as confidential as possible in my

1 office. I really believe that.

2 Q. Did Abby talk to you after our
3 phone conversation on July 26th about concerns that
4 the FBI or the DOJ had with how the DA's office was
5 running its investigation?

6 A. No. No.

7 Q. So you are not aware of that?

8 A. No.

9 MR. HERRIN: I object, to imply
10 that they should be aware of that.

11 Q. (BY MS. BAEHR-JONES) All right.
12 I'm going to hand out to you the next exhibit, which
13 is going to be marked as 133.

14 (Exhibit 133 marked).

15 MS. BAEHR-JONES: No, but they have
16 this. You saw this yesterday.

17 MR. RADER: Has this document been
18 Bate stamped and produced?

19 MS. BAEHR-JONES: It has been
20 produced.

21 MR. RADER: Is there a Bate stamp
22 number where it was produced?

23 MS. BAEHR-JONES: I don't have the
24 Bates number on this, but it's been
25 produced.

1 MS. KRAMER: It is attached to
2 our -- your response to our motion.

3 MS. BAEHR-JONES: Correct. It's
4 also in the public record.

5 Q. (BY MS. BAEHR-JONES) So reading through
6 this letter, what is this?

7 A. I don't -- I'm reading it just to
8 be sure. It's a letter I sent you.

9 MR. HERRIN: I'd like to read it,
10 too.

11 MS. EVAN: I do not have a copy of
12 it.

13 THE WITNESS: I'm -- I'm reading --

14 MS. BAEHR-JONES: Liz, what's your
15 email address?

16 MS. EVAN: [REDACTED]

17 MS. BAEHR-JONES: [REDACTED]

18 MS. EVAN: [REDACTED]

19 MS. BAEHR-JONES: Thank you.

20 MS. EVAN: [REDACTED]

21 Q. (BY MS. BAEHR-JONES) Okay. So what is
22 this?

23 A. It's a letter I sent to you.
24 Obviously, it is after the victim that wanted the
25 compensation. It's after that. And it's after I

1 conferred with the Board of Professional
2 Responsibility whether I could proceed forward and
3 send in an investigator to talk to your clients,
4 even though you said go through you.

5 Q. Correct.

6 A. That's what the letter -- yeah.

7 Q. And in the letter, on Page 2, you
8 say, "These efforts have been impeded by you."

9 A. Yes.

10 Q. How have I impeded your criminal
11 prosecution of Williams?

12 A. Okay. Yeah -- and again, first of
13 all, when you say -- we're on two parallels for the
14 same thing. It's what you think justice is versus
15 what I believe justice is, okay? I want him to go
16 away for the rest of his life, okay? So I need
17 these ladies. I need these victims. I need these
18 survivors.

19 What we have right now is three
20 child cases, okay? Defense, there's not going to be
21 much way they can tear into them, okay? The defense
22 will do all these nasty things to these adult
23 ladies. We need them. And I am being gender,
24 because we know this case to date is all about
25 female victims. And I need them to come in so we

1 can work with them, prepare them, trust us, know
2 that we are -- that we are totally committed,
3 invested in them, because what's going to be the
4 difference on the state case is that the defense is
5 going to do God awful things to them, like we all
6 know happens in these type of cases.

7 Whereas, with the federal case,
8 the -- the -- shoot, I just drew a blank. The
9 trafficking would not be the same questions, the
10 same issues that it would be in our state case.

11 So what I'm saying, and why I'm
12 saying that is that we need the victims, not you
13 saying, "I represent the victims, you can run
14 everything through -- through me." That doesn't
15 work. We've got to have them.

16 Q. But let me just ask you, there are
17 images and videos of my victims being sexually
18 assaulted, right?

19 A. But it won't work. The defense --
20 let me tell you in a state case -- and I want you to
21 hear this.

22 In a state case, I can't just put
23 on the video and be done with it in an adult case.
24 It doesn't work that way. The defense, the first
25 thing they're going to say is, "Consent." Defense,

1 not me. That's what we've got to prepare these
2 ladies for.

3 Q. But isn't it true that some of the
4 folders are labeled first name of victim - drugged?

5 A. I don't know.

6 Q. So you haven't reviewed the
7 evidence?

8 A. No, that's not -- I'm up here. My
9 investigator, they're still working it. And when
10 there would be a finished product in -- and it
11 probably works the same in the federal system.

12 Investigators bring cases to you,
13 okay? And you base what you do on what your
14 investigator tells you based on the witnesses he's
15 talked to and the Assistant DA. The Assistant DA,
16 they confer together with the investigator. They
17 present the case to you on what should be charged
18 and where we end -- where we end up.

19 Am I involved to the very -- like
20 the ground floor on each and every case? No.

21 Q. But you --

22 A. This isn't Los Angeles. We've got
23 133,000 people just in this one county, and I've got
24 about 12 attorneys that cover the whole thing.

25 Q. But, Steve, you seem very certain

1 that you needed them to come in to be able to prove
2 your case.

3 And what I'm asking you is, did you
4 review any of the evidence in their cases in order
5 to make that determination?

6 A. I went on what Mike -- what Mike
7 told me is on there, not in each and every one, but
8 a generalization of what it was and where we were,
9 you know, wanting to go with it.

10 And even in our conversation on the
11 phone, we talked about, "Well, can you use -- can
12 you use their initials?" Well, we never had. Abby
13 was like, "Well, I've never done that before in an
14 adult, in juvenile court, juvenile cases." And I
15 said, "Well, you know, we could." You said, "Well,
16 you can't -- we don't want their names disclosed,
17 nothing like that." And we're like, "Well, in
18 discovery they're going to get that, but" -- and you
19 brought up that we could do a protective order, and
20 I agree with that.

21 Q. But let me go back to --

22 A. We have to have them.

23 MR. RADER: Let me object to the
24 continued interruption of the witness. He's
25 answering --

1 Q. (BY MS. BAEHR-JONES) Let me go back to
2 let me go back to the question.

3 MR. HERRIN: Let me object to --

4 MS. BAEHR-JONES: Thank you. Let
5 me go back to --

6 MR. RADER: I'd like the witness to
7 finish his answer.

8 MS. BAEHR-JONES: He did. He did.

9 MR. RADER: But -- were you
10 finished, Mr. Finney?

11 MS. BAEHR-JONES: You made your
12 objection. Thank you.

13 Q. (BY MS. BAEHR-JONES) Let's go back
14 to the question that I asked.

15 A. I would like to say one other thing
16 on --

17 MR. HERRIN: Thank you very much.

18 A. And my -- the door is still open,
19 and we'll come to you. Not to California, but we
20 will bring advocates, you. I really would like to
21 have one of your Tennessee attorneys there, and
22 we'll talk to these ladies. But that's all I want,
23 to get the best cases out of the identifiable. I
24 just want the best cases.

25 Q. (BY MS. BAEHR-JONES) Have you reviewed

1 the videos of my unconscious clients being raped?

2 A. I have.

3 Q. So how can you tell me that you
4 need them to testify to make their case in a
5 criminal trial?

6 A. Because of what -- Mike tells me
7 the overview of how these happen. In any trial with
8 an adult you can get -- defense -- it's not me.
9 It's not me. I'm on their -- our people, our
10 victims, our victims, our survivor's side. I'm
11 telling you, the defense is going to rip them up if
12 they limit it to the one isolated incident. And
13 that's why we need to talk to them.

14 Did you -- were you ever there
15 before? Did you ever go back again? Did you get a
16 special bowl of powder, you know?

17 And don't -- and don't think for
18 one second that we are discrediting it, that this --
19 like women don't get date raped. I mean, it's
20 obvious, okay? And that -- don't think -- there's
21 no way. We are victim oriented through all of this,
22 but I know the torture they're -- I'm glad the
23 victim is not here, because the shit that the
24 defense attorneys are going to do to these ladies.
25 And there's no way to prosecute it without them.

1 There's absolutely no way to put on
2 a videotape without that person on that witness
3 stand to be cross-examined under the Constitution,
4 the Constitution of the United States, the
5 Constitution of Tennessee.

6 Q. That's your testimony, that you
7 could never put on a case with a video unless the
8 victim is actually on the stand with the video?

9 A. Yeah, in this one, in a rape case.
10 In this one, in this type of scenario.

11 Q. But you haven't -- but you haven't
12 reviewed that video.

13 A. No, I don't have to. I've been
14 told enough by the investigator to know where we --
15 where we are.

16 Q. But I actually never said that my
17 clients wouldn't come in, did I?

18 A. Yes.

19 MR. HERRIN: Object to the
20 testimony.

21 Q. (BY MS. BAEHR-JONES) Let's look
22 at -- let's look at -- let me ask you this.

23 I don't represent every victim of
24 Sean Williams, do I?

25 MR. RADER: Object to the form.

1 A. I do not know the number right now.

2 Q. (BY MS. BAEHR-JONES) Well, let me put
3 it this way.

4 Are there victims who I do not
5 represent who have come in to speak to your office
6 in person?

7 A. Yes.

8 Q. Have you prosecuted those cases?

9 A. They've not been charged yet, no.

10 Q. Okay.

11 A. Not indicted yet. I'm not charging
12 on a warrant. It's going to be an indictment.

13 Q. You write next in this letter, "As
14 of this writing, it does not appear that you have
15 the proper privileges necessary to provide legal
16 representation of clients in the state of Tennessee.
17 Therefore, any further involvement between you and
18 any victim of Sean Williams' case with respect to
19 legal advice or representation relating to the
20 ongoing state criminal prosecution could be
21 improper."

22 Who did you consult about that, you
23 know, ethical violation that you're accusing me of?

24 A. I'm not accusing you of an ethical
25 violation. What I'm telling you is my -- I found

1 out that pro hac vice for federal court is not state
2 court. You're talking to us in a state court realm,
3 and without Ms. Collins or anyone else on any
4 phone -- the phone call I had with you, I'm trying
5 to find a way to get a state-involved person in your
6 team, okay, to see what I'm seeing in the Tennessee
7 statutes and Tennessee Rules of Professional
8 Responsibility.

9 Again, trying to get you to bring
10 your victims to the table with me, and that's --
11 that is not -- you know, you've been doing this a
12 long time, too.

13 That is written in the least, as
14 you say, threatening tone, the least threatening
15 tone possible, along with -- and I'm pointing out in
16 Exhibit 133 Paragraph -- second page, Paragraph 1
17 and Paragraph 2, which talks about the -- about
18 talking -- us talking to the victims. And then also
19 about Paragraph 3, Page 2 of Exhibit 133, about the
20 victims' compensation.

21 If you took it threatening, I am
22 sorry you did. That was not the tone of that, none
23 of this has ever been other than to try to speak to
24 these victims. And not only speak to them, let them
25 understand where my team is coming from.

1 Q. You conferred with the Tennessee
2 Board of Professional Responsibility about speaking
3 directly to my clients and not going through their
4 lawyer.

5 A. Right.

6 Q. Did you confer with them about your
7 statement that my representation of my clients was
8 potentially improper?

9 A. No.

10 Q. Did you --

11 A. You saw exactly what I asked them
12 about.

13 Q. Did you confer with any other
14 lawyer about your representation to me that my
15 representation of my own clients could be improper?

16 A. No. I conferred with one person on
17 the Board and asked them, unofficially, if --
18 because they were a former United States Attorney,
19 if -- if -- if ad hac vice for federal court also
20 applied for state court. That's -- that's the only
21 thing I asked. Guy Blackwell.

22 Q. Who?

23 A. Guy Blackwell.

24 Q. And when was that?

25 A. When was that? Sometime prior to

1 November 13th, 2023.

2 Q. Did you take any notes of that?

3 A. No.

4 Q. Do you have any documentation of
5 that?

6 A. Huh-uh.

7 Q. Did you put any record to file
8 about you --

9 A. No.

10 Q. -- making this determination and
11 putting it to me in a letter?

12 A. No, just -- it wasn't a
13 determination. It was -- I asked him, "Does this
14 person who has federal ad hac vice for federal
15 court, does that blanket state court?" And he said,
16 "No." That was the end of the conversation about
17 that.

18 MS. BAEHR-JONES: Okay. I want to
19 pass out another exhibit.

20 So this is one of the exhibits to
21 the opposition to the Motion to Quash, and
22 we're going to get the next exhibit number
23 please. 134.

24 (Exhibit 134 marked).

25 MS. BAEHR-JONES: Sorry. I lost my

1 advocate in a manner in which --

2 Q. (BY MS. BAEHR-JONES) I want to ask you
3 about the victim compensation funds email that is in
4 front of you.

5 And my question for you is does
6 this look like I am impeding your investigation?

7 MR. RADER: Jeff, were you able to
8 get that down?

9 COURT REPORTER: It's going to say
10 a bunch of simultaneous speaking.

11 MR. RADER: Well, I object to
12 the -- Ms. Baehr-Jones asking questions
13 about her conduct and the underlying facts
14 of this case while she's an advocate in this
15 pending case. I think that she's violating
16 Rule 3.7 of the Rules of Professional
17 Conduct, and I make the objection for the
18 record.

19 A. And so your question again was is
20 that you impeding --

21 Q. (BY MS. BAEHR-JONES) My question is --

22 MS. BAEHR-JONES: Do you mind if I
23 have that one back just --

24 Q. (BY MS. BAEHR-JONES) My question is
25 what about this is impeding your investigation?

1 A. We still haven't talked to them.
2 You're wanting the money for what -- the
3 compensation, but we haven't talked to them.

4 MS. BAEHR-JONES: Can I have the --

5 A. And it's still an open door. I'm
6 never going to shut up on that, because it is an
7 open door either way. I'll come to you.

8 Q. (BY MS. BAEHR-JONES) One of the things
9 that I was asking for from Mike Little was police
10 reports, correct?

11 A. I have no idea.

12 Q. Well, let's look at the exhibit.
13 In the email that I sent on
14 October 27th, 2023 --

15 A. Okay. I knew you all were
16 discussing the victim list, but I did not know in
17 what regard.

18 Q. When did you find out that I was
19 asking for investigative reports for my clients?

20 A. Oh, I don't know. I have no idea.
21 I don't.

22 Q. When you wrote the letter to me,
23 you were aware that HMC Civil Rights Law was local
24 counsel on this case, correct?

25 A. I never thought -- yes, I should

1 have by the pleadings, but I never talked to another
2 soul or ever heard another name mentioned in this
3 other than yours.

4 Q. But they were on the emails that
5 were exchanged with --

6 A. I just admitted that. Yeah. I
7 should -- yes. I -- yes, they were on emails.
8 You're the only person that I either talked or
9 communication with. It's like when you read a law
10 firm and it's blah, blah, blah, blah, blah and blah,
11 blah, blah. I'll look to the first name, because
12 that's the person I'm going to be working and
13 dealing with. And that's how I saw this. Yes. I'm
14 not denying what you're saying. Yes, there was a
15 Tennessee counsel, but you're the person I dealt
16 with.

17 Q. But actually they were on all of
18 the email exchanges with -- when we were setting up
19 the meeting in July, correct?

20 A. Yeah. Never look -- yes, but
21 you're the person.

22 Q. Okay. Well, didn't you receive a
23 letter from Heather Collins in August of 2023?

24 A. I'd have to say yeah.

25 Q. Okay.

1 A. I've seen it in the file.

2 MS. BAEHR-JONES: Can I get the
3 next exhibit? We're going to mark this as
4 Exhibit --

5 COURT REPORTER: 135.

6 MS. BAEHR-JONES: -- 135.

7 (Exhibit 135 marked).

8 MR. HERRIN: Can I have a Bates
9 number for this?

10 MS. KRAMER: This is an attachment
11 to --

12 MS. BAEHR-JONES: It's an exhibit.

13 MS. KRAMER: An exhibit to the
14 opposition to the Motion to Quash.

15 MR. HERRIN: Bate's number?

16 MS. BAEHR-JONES: Yes, it has
17 somewhere, but it's also a public record at
18 this point.

19 MS. TAYLOR: But it's not Bates
20 stamped?

21 MS. BAEHR-JONES: The copy that I'm
22 passing out is not Bate stamped.

23 A. Yes, I've seen this.

24 Q. (BY MS. BAEHR-JONES) So what's the date
25 on this letter?

1 A. July -- August 16th, 2023.

2 Q. And what's the date on the letter
3 that you sent me that is now Exhibit 133?

4 A. November 13th.

5 Q. So you were well aware by
6 November 13th that HMC Civil Rights represented the
7 plaintiff survivors.

8 A. Yes. Yes. Yes, and should have
9 been. Yes.

10 Q. So there was nothing improper.

11 A. I've never -- I've never said that
12 it's -- you know, I said this -- because we never --
13 I never spoke to Ms. Collins. It's always been with
14 you. Didn't know what Ms. Collins was doing with
15 you individually with the witnesses, individuals.
16 Didn't know if Ms. Collins was going to Knoxville to
17 meet with the feds or not. Didn't know that
18 Ms. Collins was nothing more than just you signing
19 on somebody's Tennessee bar number.

20 Q. She sent you a seven page -- six
21 page substantive letter about this case, correct?

22 A. I've asked and answered the
23 question to my best ability. I mean, I have. I've
24 told you yes, she sent that. Yes, I told you I've
25 dealt with the -- with you very limited. The only

1 person I dealt with. Not denying this letter wasn't
2 sent and she's not the Tennessee counsel.

3 Q. And this is a substantive letter
4 about the case, correct?

5 A. Yes. Going -- going back to Dahl,
6 which kind of, you know --

7 Q. Well, what is she asking you in
8 this letter?

9 A. I have no idea.

10 Q. Have you reviewed it?

11 A. Not for today.

12 Q. Did you read it at the time?

13 A. Probably.

14 Q. Well, what's it about?

15 A. I have no idea.

16 Q. I'll give you a chance to look
17 through it.

18 MR. RADER: I don't think you're
19 doing it intentionally, but you continue to
20 talk over the tail end of his responses. I
21 request that you not do that.

22 A. Okay. Hang on just a minute.

23 Yeah. It looks like a general
24 overview of what had gone on so far, a rendition of
25 like Dahl's suit and what they claim. It looks like

14 MS. BAEHR-JONES: Okay. I want to
15 pass out what's -- this was just provided to
16 me today. So I don't have a Bates number,
17 and I have not produced it. It was given to
18 me by Ms. Evan. So there's copies for
19 everyone, and we're going to mark it as
20 Exhibit --

21 COURT REPORTER: 136 --

22 MS. BAEHR-JONES: 136. Thank you.
23 (Exhibit 136 marked).

24 Q. (BY MS. BAEHR-JONES) So what is this?

25 A. It's the -- it's the -- it's the

1 request that I made to the Tennessee Board of
2 Professional Responsibility to see if I could still
3 talk to the victims, even though you represent them.

4 Q. Okay. And why did you get this
5 opinion?

6 A. Because I still wanted to talk to
7 them. I still wanted to bring them into the fold.
8 And when I say bring them in, it don't have to be in
9 an office. I mean, we've said that, but we can --
10 we can take our show on the road to make them feel
11 more comfortable, okay?

12 Now, we have said all along, bring
13 them in our office, bring them in our office, but we
14 all have gone and done things outside the office,
15 you know, through the years.

16 So I wanted -- I wanted to know if
17 we could go ahead and talk to them. We chose not to
18 do it. We never -- they said we could, but we chose
19 not to do it because we didn't want to further
20 alienate.

21 Q. Well, what did they say here? They
22 said that you --

23 A. They said I could.

24 Q. You would need to -- they advised
25 you to seek a court order, correct?

1 A. Yeah.

2 Q. Did you ever apply for that court
3 order?

4 A. No. No, because we don't have any
5 cases pending presently involving these. We have
6 the children's cases which, in my opinion, to get a
7 court order in the children's cases would be totally
8 irrelevant. It would almost be a fraud to say, "Oh,
9 we need to go talk to these ladies, but it's on the
10 children's case."

11 Q. And you're aware that many of the
12 women that I represent were told multiple times,
13 "You have to come back into headquarters, you have
14 to come back into headquarters," and that that was
15 an incredibly discouraging thing for them.

16 MR. HERRIN: Object to the form of
17 the question. That is not evidence.

18 MS. EVAN: I don't think he can
19 speak to how they felt about it.

C E R T I F I C A T E

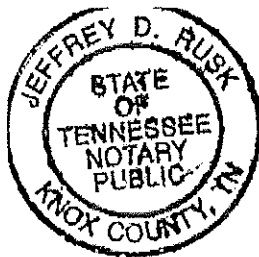
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COUNTY OF KNOX:

I, Jeffrey D. Rusk, Registered Professional Reporter and Notary Public, do hereby certify that I reported in machine shorthand the foregoing proceedings; that the foregoing pages, inclusive, were prepared by me using computer-aided transcription and constitute a true and accurate record of said proceedings.

I further certify that I am not an attorney or relative of any attorney or counsel connected with the action, nor financially interested in the action.

Witness my hand and official seal
this the 17th day of July, 2024.



A handwritten signature of Jeffrey D. Rusk in cursive script, written over a horizontal line.

Jeffrey D. Rusk, RPR, CLVS
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STEVEN R. FINNEY
District Attorney General
First Judicial District

EXHIBIT	133
WIT:	Finney
DATE:	
JEFF RUSK COURT REPORTING	

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November 13, 2023

VIA OVERNIGHT

Mrs. Vanessa Baehr-Jones
Founding Partner
Advocates for Survivors of Abuse
4200 Park Boulevard, Number 413
Oakland, California 94602

Dear Mrs. Baehr-Jones

I am writing to you to discuss certain issues related to the ongoing investigation of Sean Williams. As you are aware, my investigator has been involved in this case since June of this year with the assistance of the Tennessee Bureau of Investigation. While this is somewhat unconventional. I felt that it was necessary in order to avoid any potential conflict which may result due to pending civil litigation involving the Johnson City Police Department.

While it is the policy of my office to neither discuss nor disclose any specific details related to ongoing criminal investigations, I will share with you that my office and the Tennessee Bureau of Investigation have worked diligently over the past several months in building a multi-faceted criminal case against Mr. Williams. As a result of these efforts, Mr. Williams was indicted by a Washington County Grand Jury on September 11th of this year for crimes committed against child victims. In at least one of these cases, Williams is facing a mandatory sentence of life without the possibility of parole.

The investigations involving sexual based offenses against adult female victims are ongoing and it is my commitment to continue efforts in these cases. From the beginning, I have committed to pursuing these investigations in a manner which protects the well-being and dignity of the victims and to maintain a victim-centered approach. My office and the Tennessee Bureau of Investigation have made every effort to ensure that the victims are treated in a compassionate and empathetic manner and that resources such as victim advocates and therapy are readily available. These resources are provided at no financial cost to the victims.

In speaking with the investigators involved in this collaborative effort, it is my understanding that they have attempted to speak with the victims whom you represent in the federal civil class action lawsuit, filed June 21, 2023. However, these efforts have been impeded by you. While I am aware that you have been granted pro hac vice privilege for the purpose of representing a certain number of victims in the civil class action lawsuit filed in Federal Court for the Eastern District of Tennessee, I would point out that this privilege does not extend beyond that limited purpose. Rule 19 of the Tennessee Supreme Court sets forth the requirements necessary for you to appear pro hac vice in the State of Tennessee. As of this writing, it does not appear that you have the proper privileges necessary to provide legal representation of clients in the State of Tennessee. Therefore, any further involvement between you and any victim in the Sean Williams case with respect to legal advice or representation relating to the ongoing state criminal prosecution could be improper.

In order to proceed with the cases against Mr. Williams, it is imperative that these victims speak with state investigators. Additionally, for the victims who have already spoken with state investigators but are now being represented by you in the class action suit, the state investigators will need an open line of communication with them as well. It is unclear at this point as to whether any of these represented victims wish to participate in the state prosecution of Williams or continue cooperation with the investigation. I have conferred with the Tennessee Board of Professional Responsibility in this matter and pursuant to Tenn. R. Sup. Ct 4.2 Comment 5, will be proceeding.

Furthermore, my office is beginning to receive claims for compensation from the State of Tennessee's Criminal Injuries Compensation Program that have been filed by victims who are represented by you in the civil class action suit. Tennessee Code Annotated § 29-13-109(b)(2)(H) requires that any victim seeking compensation from this fund must fully cooperate with law enforcement and prosecution efforts. As part of this process, it is required that I sign an affidavit that all legal requirements have been met. Without speaking with these victims, we are unable to provide the necessary documentation for them to complete the application process. Once arrangements are made to meet with them, the process can proceed. Victim Witness Coordinators with my office as well as with the Tennessee Bureau of Investigation are willing to assist with this process.

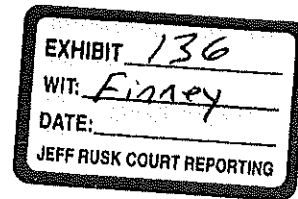
I have instructed my investigator and assisting Special Agents with the Tennessee Bureau of Investigation to contact the victims who are being represented by you in the civil class action suit so that they can arrange to meet with the investigators, if they wish, to discuss their desire to pursue criminal prosecution against Mr. Williams in state court.

Sincerely,



Steven R. Finney
District Attorney General

From: Chastain, Laura lchastain@lbpr.org
Subject: Ethics Inquiry Answer
Date: November 8, 2023 at 9:37 AM
To: Finney, Steven R [REDACTED]@yahoo.com



Dear Mr. Finney,

Thank you for your inquiry to the Board of Professional Responsibility.

Opinion:

In my opinion Comment [5] to RPC 4.2 would allow you or your investigators to talk to the victims without consent of their lawyer. To be perfectly sure that you are not violating RPC 4.2 you could apply for a court order allowing communication with the victims being represented by the lawyer who told you not to talk to her clients.

Regards,
Laura Chastain

Date of Inquiry:
11/8/2023 7:40 AM

Attorney Name:
Steven R Finney

BPR#:
014307

Telephone:
423-753-5020

Does this inquiry relate solely to your personal and proposed conduct (not prior conduct and not another attorney's conduct)?
Yes

Is this ethics matter pending or being contemplated in any current proceeding?
No

Applicable Facts:

My name is Steven Finney, and I am the elected District Attorney for the First Judicial District comprising Washington, Carter, Johnson, and Unicoi Counties. The following is a scenario wherein I am seeking advice from the board.

The Johnson City Police Department is a named defendant in a civil lawsuit currently pending in the U.S. District Court for the Eastern District of TN. The allegations of the lawsuit generally speaking are the lack of involvement by Johnson City Police Department in investigating sex crimes.

My office investigator has since taken over investigating the cases and has identified approximately 70 potential victims.

The attorney handling the class action lawsuit, Vanessa Baehr-Jones, is out of California and is admitted pro hac vice in the U.S. District Court, Eastern District of TN regarding this case. She has approximately 12 clients/potential victims. Ms. Jones has informed my investigator that he is not to speak to her clients. Her clients are not defendants.

Ethical Question:

My question is Can I speak to the victims even though their attorney, Ms. Jones, has told me no? All we are trying to do is investigate and help the victims, if possible. My office has not been named in any lawsuit.

Do you understand and agree that any opinion provided is not binding on the Board or any Court and offers no security?
Yes